

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID McKAY, SHEILA McKAY and THE  
ESTATE OF JOHN McKAY,

## Plaintiffs,

VS.

CHRISTIAN HAGESETH, FRANK GRUICH,  
JR., GRUICH PHARMACY SHOPPE, JRB  
SOLUTIONS, INC., JRB HEALTH  
SOLUTIONS, LLC, BENJAMIN KREIS and  
GREG TUTTLE.

### Defendants.

CASE NO. C-06-1377 MMC

HONORABLE MAXINE M. CHESNEY  
COURTROOM 7

TRIAL DATE: OCTOBER 1, 2007

**[PROPOSED] JUDGMENT BY COURT  
[F.R.C.P., Rule 54]**

For the reasons stated in the September 7, 2007 order granting defendants Frank Gruich, Jr. and Gruich Pharmacy Shoppe's (collectively, "Gruich defendants") motion for summary judgment, FINAL JUDGMENT IS HEREBY ENTERED in favor of Gruich defendants and against plaintiffs David McKay, Sheila McKay, and the Estate of John McKay (collectively, "plaintiffs"). The Gruich defendants shall be deemed prevailing parties for the purpose of recovering costs against the plaintiffs.

## **IT IS SO ORDERED.**

DATED:

**MAXINE M. CHESNEY**  
United States District Judge